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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,911	01/23/2002	Nobuyuki Nishi	Q68203	9103
7590 07/20/2005				
SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, NW Washington, DC 20037-3213			EXAMINER SELBY, GEVELL V	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,911

Applicant(s)

NISHI ET AL.

Examiner

Gevell Selby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/23/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see the amendment, filed on 3/23/05, with respect to the rejection(s) of claim(s) 1-6 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nagasaki, US 6,317,156, Kindaichi et al., JP 2001-133874, and Ota, US 6,201,571.

Drawings

2. The drawings were received on March 15, 2002. These drawings are acceptable.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-7 and 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874.**

In regard to claim 1, Nagasaki, US 6,317,156, discloses a digital camera comprising:

an input unit (see figure 1, element 109) for inputting image data (see column 6, lines 5-9);

a first storing unit (see figure 1, elements 104) for storing the image data in a nonvolatile recording medium (memory card) in a predetermined file format (see column 6, lines 30-32);

a display unit (see figure 1, element 128) for displaying the image data stored in the nonvolatile recording medium (see column 18, lines 44-46);

a dedicated interface unit (see figure 1, element SW5 and figure 2, element 5a) for accepting input or edit of a preset data regarding the image data by one operation (see column 9, lines 1-5).

The Nagasaki reference does not disclose accepting input or edit of a preset data regarding the image data by one operation when the image data stored in the nonvolatile recording medium is displayed on the display unit; and

a second storing unit for storing the preset data with the image data in the nonvolatile recording medium in a predetermined file format.

Kindaichi et al., JP 2001-133874, discloses a dedicated interface unit (see figure 2A, element 36 and para. 16: The set button is used to set the print number) for accepting input or edit of a preset data regarding the image data when the image data stored in the nonvolatile recording medium is displayed on the display unit (see figure 2B and para. 19: The print number is set while the image is displayed); and

a storing unit for storing the preset data with the image data in a number of sheets register corresponding to a frame in a predetermined file format (see para. 26).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Nagasaki, US 6,317,156 in view of Kindaichi

et al., JP 2001-133874, to have the dedicated interface unit accepting input or edit of a preset data regarding the image data by one operation when the image data stored in the nonvolatile recording medium is displayed on the display unit, in order to easily set the print number while viewing the image; and

a second storing unit for storing the preset data with the image data in the nonvolatile recording medium in a predetermined file format, in order to have the print data associated with the image and not to lose the data when the memory card is removed from the camera and inserted into another device to printing.

In regard to claim 2, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1, wherein the preset data is data for setting number of printing the image data displayed on the display unit (see Kindaichi: para. 19).

In regard to claim 3, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital still camera according to claim 2, wherein the dedicated interface unit increments the number of printing the image data displayed on the display unit for every operation (see Kindaichi: para. 19).

In regard to claim 4, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1, wherein the dedicated interface unit comprises a push button switch (see Kindaichi: para 19).

In regard to claim 5 Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 4, wherein the push button switch

is provided on the left from the display unit (see Kindaichi: figure 2C: when the camera is inverted the set button (36) is on the left from the display).

In regard to claim 6, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1 further comprising a memory unit (see Nagasaki figure 1, elements 101 and 114) for storing a copy of the preset data stored in the nonvolatile recording medium at least during a period for which said dedicated interface unit can accept the input or edit of the preset data (see Nagasaki: column 6, lines 34-45: The frame memory stores the a copy of the data inputted or edited by the interface unit in order for the print to use when printing).

In regard to claim 7, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 6, wherein the memory unit comprising a memory device (see Nagasaki figure 1, element 114) for storing the copy of the preset data and a CPU (see Nagasaki figure 1, elements 101) for controlling storing and deleting of the copy of the preset data into the memory device (see Nagasaki: column 6, lines 34-45: The CPU stores the a copy of the data inputted or edited by the interface unit in the frame memory in order for the print to use when printing).

In regard to claim 9, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 4. The Kindaichi reference discloses wherein for accepting input or edit of the preset data, the dedicated interface consists of the push button switch (see para. 19).

In regard to claim 10, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1. The Kindaichi reference

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discloses wherein the dedicated interface unit is operable to accept the input or edit of the preset data in any mode of the digital camera when the image is displayed (see para. 19: The button accepts input at least in display mode).

In regard to claim 11, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 10. The Kindaichi reference wherein said any mode comprises a play mode (see para. 19: The button accepts input at least in display mode).

In regard to claim 12, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1. The Kindaichi reference discloses wherein the input or edit of the preset data is performed with a single operation, the single operation comprising pushing a push button, and wherein the dedicated interface comprises one of the button (see para. 19).

In regard to claim 13, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 1. The Kindaichi reference discloses wherein the dedicated interface unit accepts the input or the edit of the preset data without switching the digital camera to an input or an edit mode (see para. 19: The button accepts input in display mode without switching to an input or an edit mode).

In regard to claim 14, Nagasaki, US 6,317,156, discloses a digital camera comprising:

an input unit (see figure 1, element 109) for inputting image data (see column 6, lines 5-9);

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a first storing unit (see figure 1, element 104) for storing the inputted image data in a nonvolatile recording medium in a predetermined file format (see column 6, lines 30-32);

a display unit (see figure 1, element 128) for displaying the image data stored in the nonvolatile recording medium (see column 18, lines 44-46); and

a dedicated interface unit (see figure 1, element SW5 and figure 2, element 5a) comprising a dial or a button for accepting input or edit of a preset data relating to the image data (see column 9, lines 1-5).

The Nagasaki reference does not disclose wherein a user edits or inputs the preset data by a single rotation of the dial or a single push of the button without changing or disrupting the displayed image data.

Kindaichi et al., JP 2001-133874, discloses a dedicated interface unit (see figure 2A, element 36 and para. 16: The set button is used to set the print number) for accepting input or edit of a preset data regarding the image data when the image data stored in the nonvolatile recording medium is displayed on the display unit (see figure 2B and para. 19: The print number is set while the image is displayed); and

a storing unit for storing the preset data with the image data in a number of sheets register corresponding to a frame in a predetermined file format (see para. 26).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, to have wherein a user edits or inputs the preset data by a single

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rotation of the dial or a single push of the button without changing or disrupting the displayed image data, in order to easily set the print number while viewing the image.

In regard to claim 15, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 14. It is implied the Nagasaki reference discloses a second storing unit for storing the preset data with the image data in the nonvolatile recording medium in a predetermined file format, wherein when the user executes the single rotation or the single push, the preset data for printing, transmitting, or reproducing is automatically stored because a memory storage unit is needed save the print number information in the memory until it is sent to the print with the image data.

In regard to claim 16, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 14. It is implied the Nagasaki reference discloses a second storing unit for storing the preset data with the image data in the nonvolatile recording medium in a predetermined file format, wherein when the user executes the single rotation or the single push because a memory storage unit is needed save the print number information in the memory until it is sent to the print with the image data. The Kindaichi reference discloses that the digital camera automatically executes the following steps:

checks whether the image data with its respective preset data in the predetermined format is present in the memory unit (see para. 16 and 22: It is inherent the CPU checks whether the image data with its respective preset data is

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present in the memory unit in order to display the data and scroll through the images),

checks whether the image data has a unique identification number (see Kindaichi: para. 22: each image is given a unique identification or frame number which is checked when the image is displayed), and

sets a number of prints to one or increments the number of prints of the image data by one (see Kindaichi: para. 19).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, as applied to claim 7 above, and further in view of Ota, US 6,201,571.

In regard to claim 8, Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, discloses the digital camera according to claim 7. The Nagasaki and Kindaichi references do not disclose wherein the memory device temporarily stores the image data and respective reduced image data generated by the CPU and wherein the preset data relates to the image data and the respective reduced image data.

Ota, US 6,201,571, discloses a digital camera wherein the memory device (see figure 1, element 13) temporarily stores the image data (see figure 1, element 14) and respective reduced image data (see figure 1, element 33) generated by the CPU (see figure 1, element 20 and column 5, lines 9-20) and wherein the preset data (see column 5, lines 9-15: The image pickup information is preset data associated with the image data) relates to the image data and the respective reduced image data.

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It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Nagasaki, US 6,317,156 in view of Kindaichi et al., JP 2001-133874, and further in view of Ota, US 6,201,571, to have the memory device temporarily stores the image data and respective reduced image data generated by the CPU and wherein the preset data relates to the image data and the respective reduced image data in order to quickly display the image to the display in reduced form without the need for further processing .

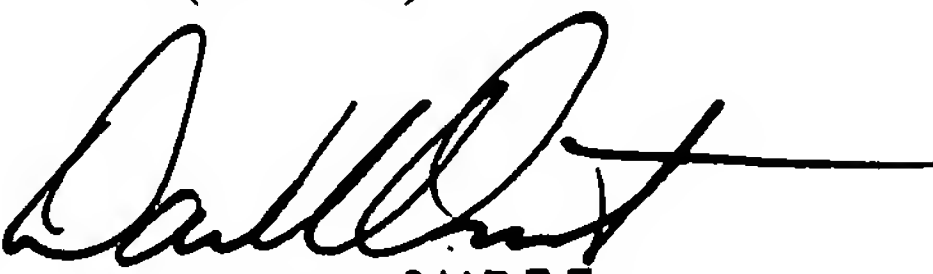
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs



DAVID L. OMETZ
PRIMARY EXAMINER